

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Prince Ja Quay El, Moorish American
National, f/k/a Derrick Jacquay Roberson,

Plaintiff,

Civil No. 15-0183 (JNE/HB)

v.

ORDER

Jen Pfeifer, Steele County Jail Employee;
Sergeant Timothy Hassing, Owatonna Police
Officer; Two Unknown Police Officers, City
of Owatonna; Daniel A. McIntosh, County
Attorney; and Unknown Police Officer,

Defendants.

Plaintiff Prince Ja Quay El brought this action alleging violation of civil rights under 42 U.S.C. § 1983 against defendants Jen Pfeifer, Steele County Detention Center employee; Sergeant Timothy Hassing, Owatonna police officer (“Hassing”); two unknown police officers of the City of Owatonna; Daniel A. McIntosh, County Attorney, Steele County; and Unknown Police Officer, City of Owatonna. Dkt. No. 1. In a Report and Recommendation dated January 13, 2016, the Honorable Hildy Bowbeer, United States Magistrate Judge, recommended that the claims against Defendant Hassing be dismissed without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b) or, in the alternative, under Federal Rule of Civil Procedure 4(m).

No objection to the Report and Recommendation was made. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court ADOPTS the conclusions and reasoning of the Report and Recommendation [Dkt. No. 25].

The Court notes Magistrate Judge Bowbeer’s remark in the December 9, 2015 Order to Show Cause, Dkt. No. 23, at 3, that Plaintiff is no longer incarcerated and is no longer located at

his address on file. Although it appears that none of the Court's recent orders has been returned as undeliverable, out of an abundance of caution, the Court reiterates the admonition that Plaintiff is responsible for keeping his address updated with the Clerk's Office, *id.*, and hereby DIRECTS Plaintiff to do so if and as his address changes.

Based on the files, records, and proceedings herein, and for the reasons discussed above,
IT IS ORDERED THAT:

1. Plaintiff's claims against Defendant Sergeant Timothy Hassing are DISMISSED WITHOUT PREJUDICE.

Dated: March 1, 2016

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge